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Baker Case 'Leak'—Scott Asks FBI, Pentagon Probe

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Of The Herald Tribune Staff
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Sen. Hugh Scott, R., Pa., yesterday asked FBI director J. Edgar Hoover and Defense Secretary Robert S. McNamara to investigate the "shocking alleged leak" of secret personnel data on a key witness in the Bobby Baker investigation.

In his request, Sen. Scott stressed that background information purportedly leaked to discredit Don B. Reynolds was denied to the Senate Rules Committee, currently conducting a conflict-of-interest inquiry into the business activities of Mr. Baker, former Senate majority secretary.

Sen. Scott's point was reinforced by the committee's special counsel, Lennox P. McLendon, who told reporters late yesterday that he had asked both the Justice and Defense Departments for data on Mr. Reynolds. This was prior to the latter's testimony before the committee. The request was turned down.

"I was informed that the reason they (records of background) were not available to me was that they were 'classified,'" the attorney said.

He also denied there had been any attempt by members of either political party to soft-pedal the inquiry and asserted that he was given a free hand by the committee to conduct the investigation.

Is other developments in the case:

The committee announced that hearings would be resumed Monday to hear William McLeod, former clerk of the House District Committee, and Fred Black, Washington representative for the North American Aviation Corp. and a close friend and business associate of Mr. Baker.

During earlier testimony, Mr. Reynolds said he gave Mr. McLeod \$1,500 of the

\$10,000 given him (Mr. Reynolds) for writing the performance bond on the new Washington Stadium.

The Army - Navy - Air Force Journal, an unofficial but authoritative military weekly, maintained that the right of service men to expect that their personnel files will remain confidential has been "undermined" as a result of the reported leaks on Mr. Reynolds.

"As a result of what has happened, no service person can feel with unquestioning trust that the privacy of his official file will not be violated," the Journal said.

Mr. Baker and his wife have settled delinquent income taxes due the District of Columbia since 1954, tax officials here reported.

The officials said that the Bakers paid back taxes, penalties and interest covering the last 10 years. Mr. Baker, who had not paid local taxes since moving to Washington in 1954, has said he was under the impression he was exempt because of his Senate position. Tax officials, however, said he was wrong.

Sen. Scott, who is a minority member of the Rules Committee, said in his letter to Secretary McNamara that Mr. Reynolds' file "was not made available to the Senate committee and in fact was refused to the Senate committee. The fact that this derogatory information subsequently found its way into the press is well known to everyone."

He said he was concerned "that leaks of internal memoranda can apparently be used to destroy witnesses whose testimony becomes embarrassing."

The Senator told Mr. Hoover, "I assume that the alleged leak, shocking in its implications, is already being investigated by you . . . Should this investigation not as yet be underway, I respectfully urge that it be given your immediate personal attention."

Spokesmen for the FBI and Defense Department refused comment on the Senator's request.

The apparent exposure of confidential information blossomed into a cause celebre when columnist Drew Pearson devoted two articles to Mr. Reynolds, Silver Spring, Md., insurance man whose testimony brought to light a gift of a stereo phonograph to President Johnson when he was Senate majority leader. Mr. Reynolds also testified that he bought \$1,208 worth of commercial time on the LBJ Co.'s TV station in Austin, Tex., at the suggestion of Walter Jenkins, veteran aid to Mr. Johnson. Mr. Jenkins has denied the allegation.

Columnist Pearson questioned the credibility of Mr. Reynolds, citing alleged records from FBI and Defense Department including a memo reputedly written by Benjamin W. Fridge, a special assistant to the Secretary of the Air Force.